

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201	7-34
Acceptance Date:	1-23-17
Website Posting Date:	2-6-17
Determination Date:	1-23-17
Planning Commission Date:	2-14-17
Expiration Date:	N/A
Planner Assigned:	JG/AW

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	Timothy & Eliza Smith, Trust
Mailing Address:	983 Taron Way Pacific Palisades, CA 90272
Phone:	310-780-1569
Email:	tsmithsci@hotmail.com
Applicant's Status: (Check one)	
<input checked="" type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	12-20-16

Project Information (attach additional sheets, if necessary)	
County Zoning District:	Open (O)
Tax Map Key(s):	(A) 5-8-012-024
Land Area:	13,627 sq ft
Nature of Development: (Description of proposed structure or subdivision)	Construct New Single-Family Dwelling & Gravel Driveway/Parking

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

☐ Properties Abutting the Shoreline

☐ Project's approximate distance from shoreline: _____

☒ Properties Not Abutting the Shoreline

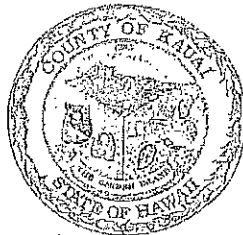
☒ Project's approximate distance from shoreline: 105 ft. (see attached Aerial Map)

☒ Additional Information:

☒ Closest distance of improvement(s) from Shoreline is approximately 105 ft.

☒ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

1.) Kuhio Hwy R.O.W.; 2.) 17,140 sq ft parcel (5-8-012-006)
(see attached Aerial Map)



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- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Relatively flat. Existing elevations of parcel 11-12' msl (highest) to 9-8' msl (lowest). (See attached Aerial Map)

- ☐ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Nearest Shoreline is a sandy beach (See attached Aerial Map.)

- ☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead):

☐ Is the armoring permitted/authorized?

☐ Date of authorization (attach copy of authorization letter):

- ☒ Is property in coastal floodplain (if checked, what zone)? No

☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

No.

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kauai harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.3. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

Trinity & Eliza Smith, Trust 10/25/16

Signature

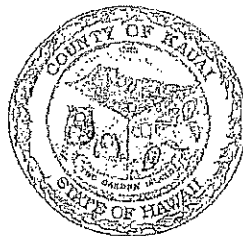
Date

Applicability (to be completed by Planning Department)

- ☒ Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.

Planning Director or designee

Date



PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

If Part A has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

Exemption Determination

☒ A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination. (§8-27.8(e))

☐ Exemption 1

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ Exemption 2

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ Exemption 3

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kauai County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

Planning Director or designee

Date

DENIED

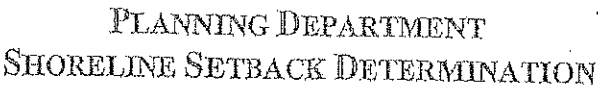
PLANNING DEPARTMENT - COUNTY OF KAUAI

You have a right to appeal this denial pursuant to the Rules of Practice and Procedure of the Kauai Planning Commission. Please refer to these rules for more information.

DATE 1-23-17

BY

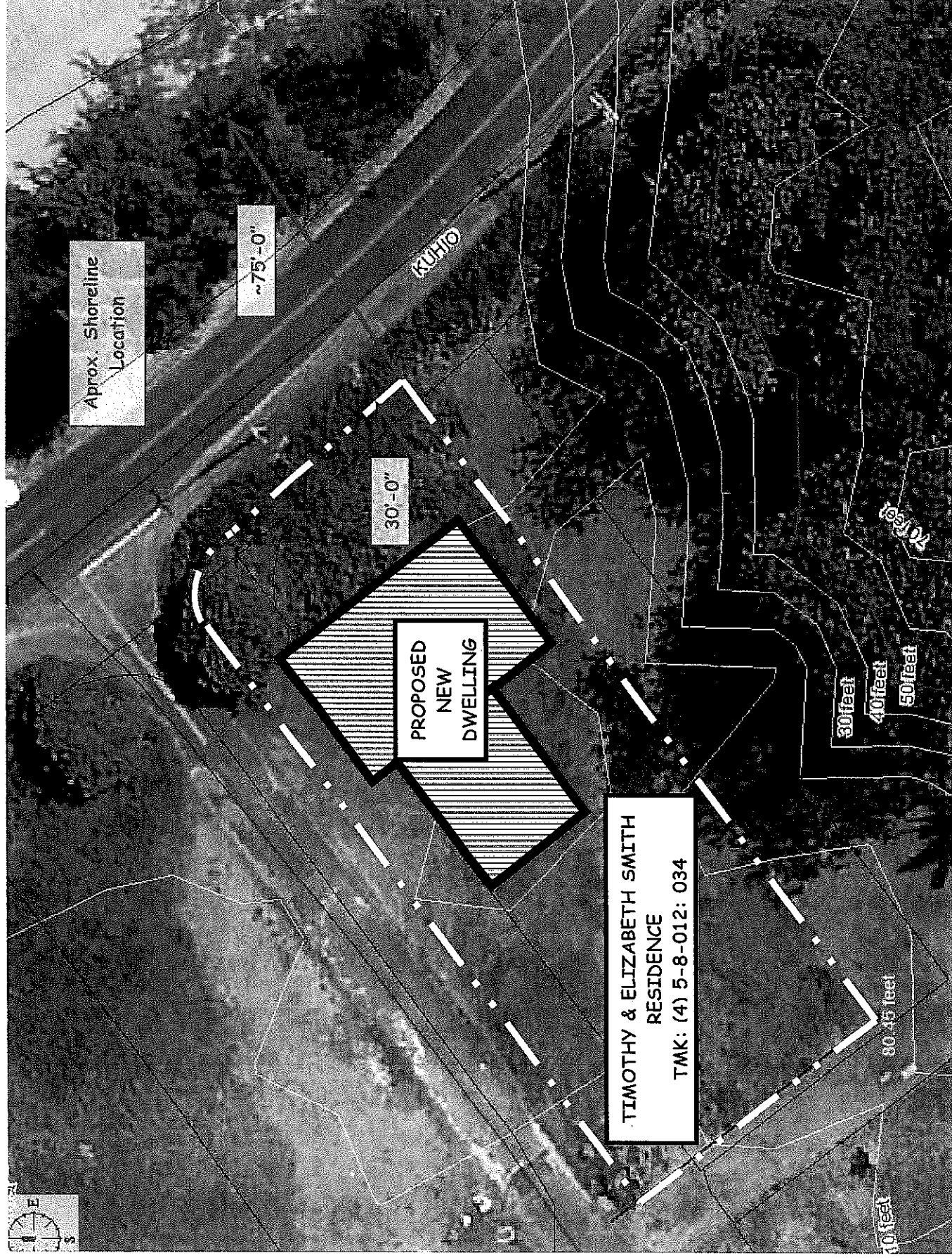
2/08/12



Shoreline Setback Determination (§8-27.8)

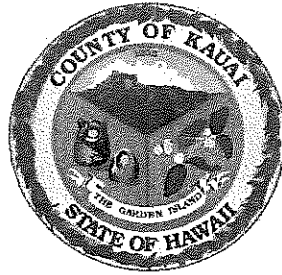
Please complete this section if you are proposing a structure or subdivision within the Shoreline Setback Area that requires a certified shoreline, a determination of applicability (Part A & B) from the Planning Director shall first be obtained.

Public Projects less than \$125,000	
<input type="checkbox"/>	Public Projects less than \$125,000 Declaration ((§8-27.8(c)(2))
Planning Director or designee	Date
<input type="checkbox"/> Certified Shoreline Required	
<input type="checkbox"/> Certified Shoreline Not Required	



SHORELINE SETBACK DETERMINATION AERIAL MAP

NTS



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

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Planning Commission Date:	<u>2-14-17</u>
Expiration Date:	<u>NA</u>
Planner Assigned:	<u>[Signature]</u>

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	HONUA ENGINEERING INC./BRIAN M. HENNESSY
Address:	P.O. BOX 851 HANALEI, HI. 96714
Phone:	(808) 826-7256
Email:	brian@honuaengineering.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: _____	

Project Information (attach additional sheets, if necessary)	
County Zoning District:	RR-20
Tax Map Key(s):	(4) 3-5-02:02
Land Area:	_____
Nature of Development: (Description of proposed Structure of subdivision)	Add ground floor lanai's to existing building at Marriot Resort.

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

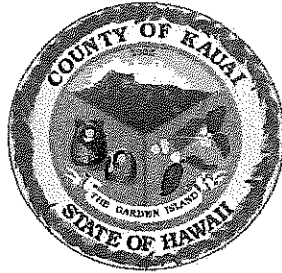
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☒ Properties Abutting the Shoreline
☒ Project's approximate distance from shoreline: 100' +
- ☐ Properties Not Abutting the Shoreline
☐ Project's approximate distance from shoreline: _____
- ☒ Additional Information:
☒ Closest distance of improvement(s) from Shoreline is approximately 100 ft.
☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

--



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Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Flat - Elev. 8 to 12

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Sandy Beach

- ☐ Artificially armored Shoreline

☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____

☐ Is the armoring permitted/authorized? _____

☐ Date of authorization (attach copy of authorization letter): _____

- ☒ Is property in coastal floodplain (if checked, what zone)? AE9

- ☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kauai harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

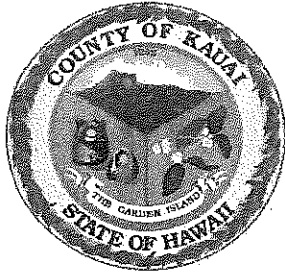
The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

B. Hennison
Signature

12/6/16
Date

Applicability (to be completed by Planning Department)	
<input checked="" type="checkbox"/>	Setback Determination necessary. Requirements of Ordinance No. 979 apply, submit full application.
<u>[Signature]</u>	<u>1-23-17</u>
Planning Director or designee	Date



**PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION**

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

Exemption Determination

☒ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination required established under §8-27.8.

Planning Director or designee

Date

DENIED

PLANNING DEPARTMENT - COUNTY OF KAUAI

You have a right to appeal this denial pursuant to the Rules of Practice and Procedure of the Kauai Planning Commission. Please refer to these rules for more information.

DATE

1-23-17

[Handwritten signature]

October 17, 2016

County of Kauai
Planning Department
Lihue, Kauai, Hawaii 96766

Subject: *Shoreline Setback Determination for Marriot Resort, Proposed Haupu
Tower Deck Extensions, at Nawiliwili, Kauai, Hawaii* TMK: 3-5-02:02

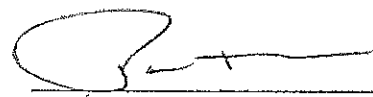
To Whom It May Concern:

This is to inform you that the undersigned has authorized Brian Hennessy of Honua
Engineering to act as my agent to submit and provide consultation on the subject
action.

Name: Paul Jones

General Manager

Phone: 808-246-5010



Signature

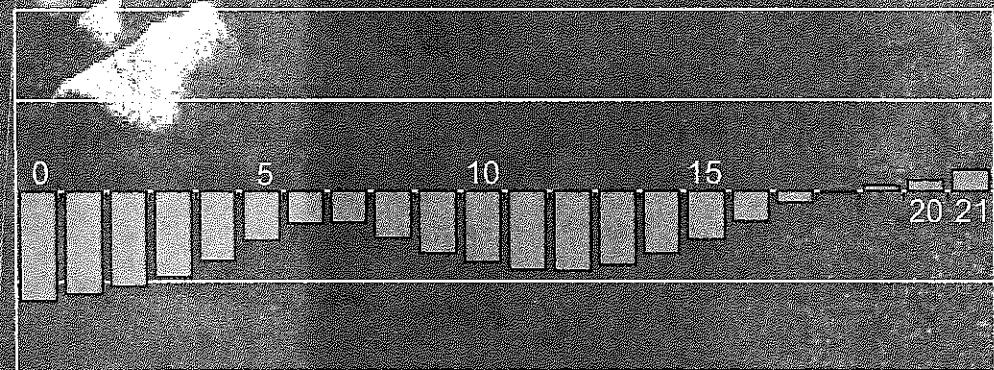
Haupu Tower



KAUA'I MARRIOT
SSD EXHIBIT 1
Aerial Photo
Scale: 1"=100'

SITE
ACCRETION
0.5-0.3 FT. YEAR

Kalapaki
Beach



Shoreline Change Rate (ft/yr)

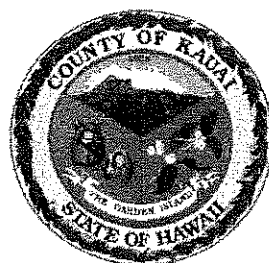
KAUA'I MARRIOTT
SSD EXHIBIT 2
Shoreline Erosion Map

Kukii
Point

Scale 1:3000

100 0 100 200 300 400 Meters

16-1854 Ston - Resid.



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Planner Assigned:	JG/AW

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant: MARC VENTURA - Steve & Yvonne Stoner	
Mailing Address: 4202 Rice St. Ste 102 Lihue HI 96766	Phone: 246-3936 Email: marc@marcventura.com
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: _____	

Project Information (attach additional sheets, if necessary)	
County Zoning District: R-2/0	Tax Map Key(s): 4-9-004-024
Proposed work only in R-2 zone	Land Area: 3.19 Acres
Nature of Development: (Description of proposed structure or subdivision)	Single family home & Attached 2 car garage

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

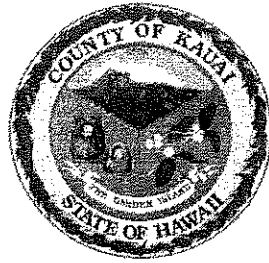
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☐ Properties Abutting the Shoreline
☐ Project's approximate distance from shoreline: N/A
- ☒ Properties Not Abutting the Shoreline
☒ Project's approximate distance from shoreline: 465'
- ☒ Additional Information:
☒ Closest distance of improvement(s) from Shoreline is approximately 170' ft. (465')
☒ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

Roadway & structure



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Planner Assigned:	

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Parcel slopes gently towards ocean

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

sandy beach

- ☐ Artificially armored Shoreline
- ☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- ☐ Is the armoring permitted/authorized? _____
- ☐ Date of authorization (attach copy of authorization letter): _____
- ☐ Is property in coastal floodplain (if checked, what zone)? _____
- ☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kauai harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

1-4-17

Signature

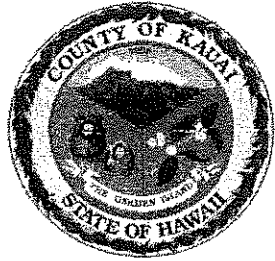
Date

Applicability (to be completed by Planning Department)

- ☒ Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.

Planning Director or designee

1-23-17
Date



PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B
Exemption Determination

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☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

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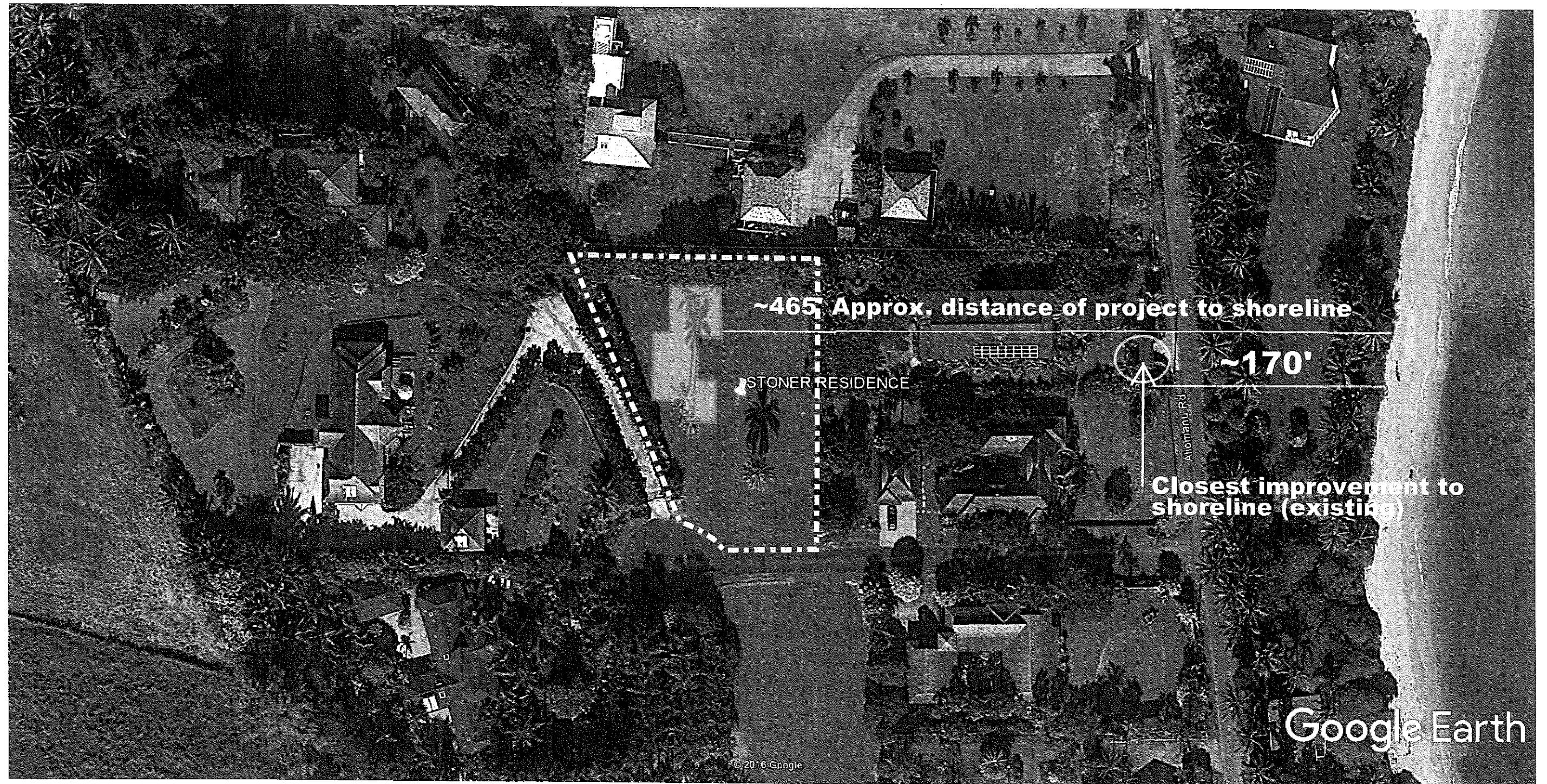
☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

Planning Director or designee

Date



STONER RESIDENCE - ALIOMANU BEACH, EAST KAUAI

I certify that the design is in compliance with the Energy Code pertaining to:
Section 12 - 6.3 Adoption of the International Energy Conservancy Code (IECC)
Section 12 - 6.4 Local Amendments to the IECC

Signature: [Signature] Date: 08.15.16
Name: MARC VENTURA
Title: ARCHITECT
License No.: 7499

STONER'S RESIDENCE

ALIOMANU KAI CONDOMINIUM CFP 1489
TMK: (4) 4-9-004: 024 UNIT 3

DRAWING INDEX

ARCHITECTURAL

A0.0	TITLE SHEET
A0.1	GENERAL NOTES
A0.2	SITE PLAN
A1.1	FIRST FLOOR PLAN
A1.2	SECOND FLOOR PLAN
A1.3	ROOF PLAN
A1.4	ENLARGED PLANS
A1.5	ENLARGED PLANS
A2.1	ELEVATIONS
A2.2	ELEVATIONS
A3.1	SECTIONS
A3.2	SECTIONS
A4.1	INTERIOR ELEVATIONS
A5.1	SCHEDULES
A6.1	DETAILS

STRUCTURAL

S1	STRUCTURAL GENERAL NOTES
S1.1	STANDARD DETAILS & SCHEDULES
S1.2	STANDARD DETAILS & SCHEDULES
S2	FOUNDATION PLAN
S3	LOW ROOF/FLOOR FRAMING PLAN
S4	HIGH ROOF FRAMING PLAN
S5	UPPER LEVEL SHEAR WALL PLAN
SD-1	FOUNDATION DETAILS
SD-2	STRUCTURAL DETAILS

ELECTRICAL

E001	FIRST RCP & POWER PLAN
E002	SECOND RCP & POWER PLAN

PROJECT INFORMATION

CODE INFORMATION:

2006 INTERNATIONAL RESIDENTIAL BUILDING CODE

OCCUPANCY: RESIDENTIAL
CONSTRUCTION TYPE: V-B

LOT COVERAGE CALCULATIONS:

LOT 49-B1-B1 LOT AREA (PER TAX MAP INFO) = 138,956 S.F.
EXISTING LOT COVERAGE (UNITS 1, 2 & 4) = ± 38,636 S.F.
PROPOSED BUILDABLE AREA (UNIT 3) = 6,525 S.F.
TOTAL LOT COVERAGE 45,161/138,956 = 32%

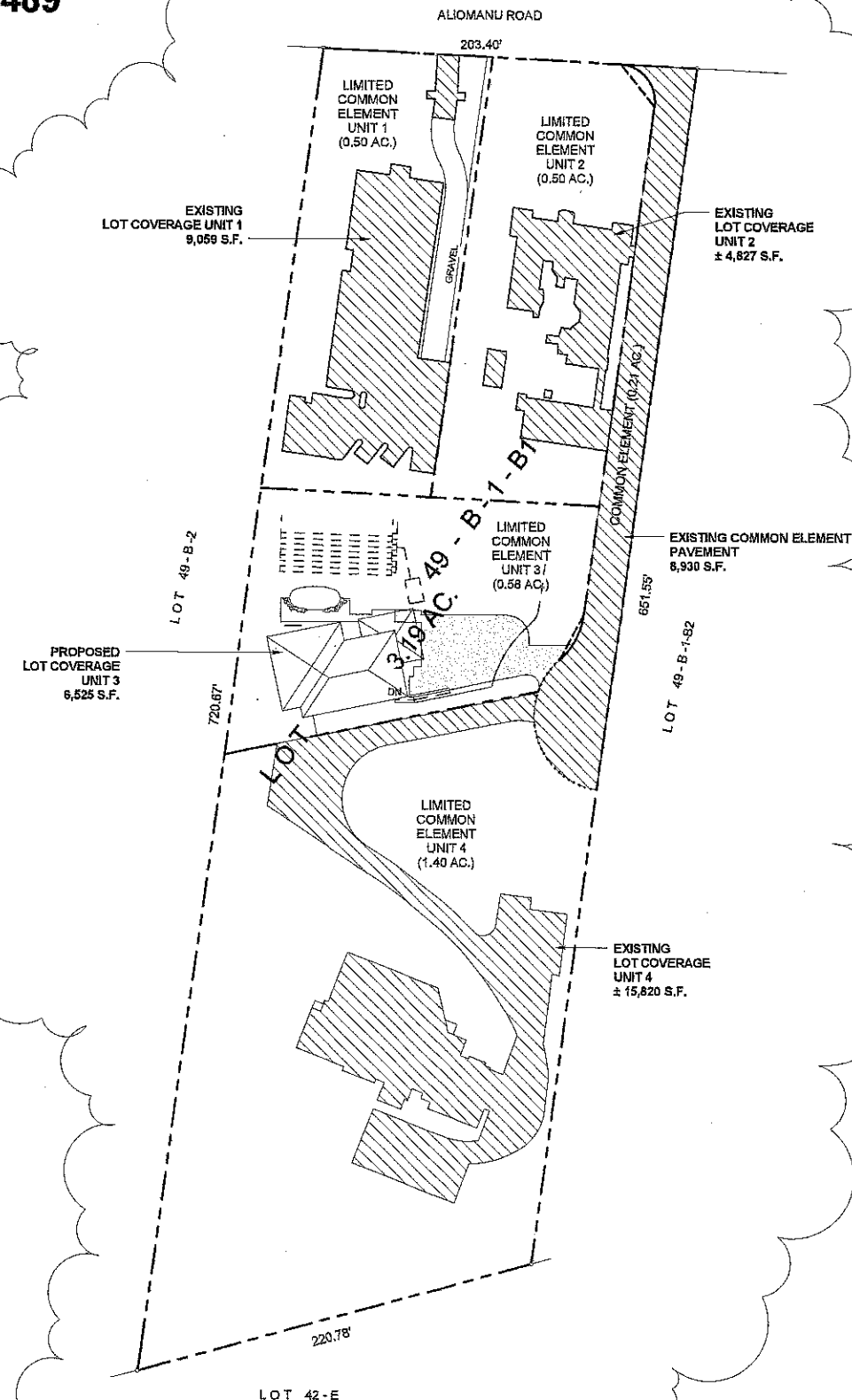
UNIT 3 LOT AREA (PER TAX MAP INFO) = 21,780 S.F.
6,525 / 21,780 = 30% UNIT 3 LOT COVERAGE

SQUARE FOOTAGE SUMMARY:

GROUND		FLOOR 2ND LEVEL	
INTERIOR LIVING	732 S.F.	INTERIOR LIVING	1,405 S.F.
LANAI	553 S.F.	LANAI	528 S.F.
TOTALS			
INTERIOR TOTAL	2,137 S.F.		
LANAI TOTAL	1,081 S.F.		
GARAGE*	623 S.F.		
TOTAL STRUCTURE SF			
= 3,841 S.F.			

OWNERS:

STEVE & YVONNE STONER



① CPR MAP SHOWING LOT COVERAGE
1" = 40'-0"

MARC VENTURA, AIA, LLC



EXP. DATE: April 30, 2018
This work was prepared by me or under my supervision and construction of this project will be under observation.

Signature: [Signature]

MARC VENTURA, AIA, LLC

4202 Rice St.
Lihue, Kauai 96766
Phone: 808 246 3936
Fax: 808 246 3936

DATE	12.8.16
DESCRIPTION	PER COUNTY REQUEST
REV	1.

STONER'S RESIDENCE
ALIOMANU KAI
CONDOMINIUM CFP 1489
TMK: (4) 4-9-004: 024
UNIT 3

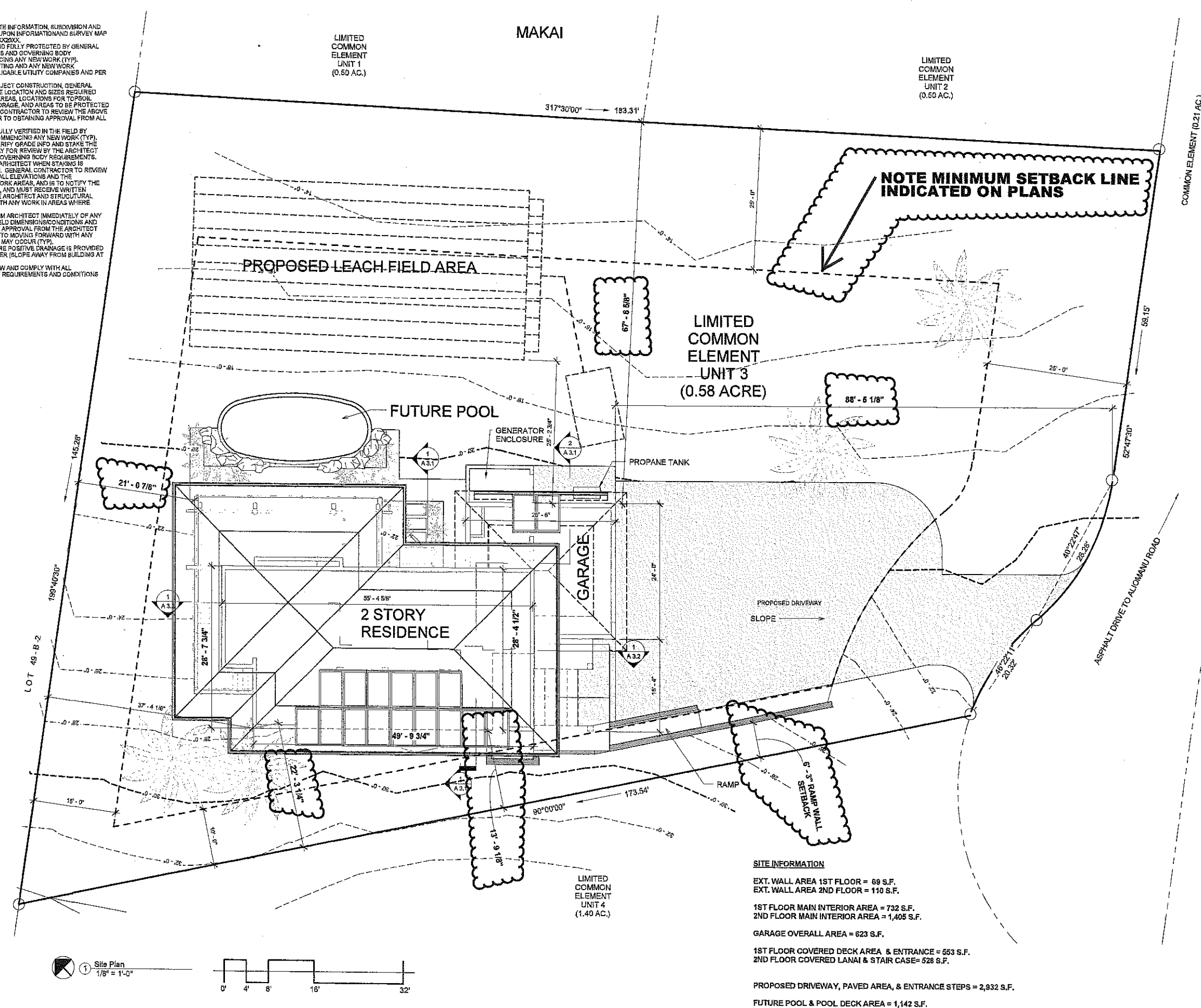
PERMIT SET
SEPTEMBER 01, 2016

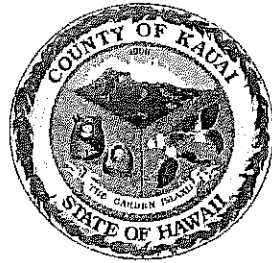
A 0.0

TITLE SHEET

PROJECT SITE NOTES:

1. ALL BOUNDARY, TOPOGRAPHY, SITE INFORMATION, SUBDIVISION AND PLAT NOTES/RESTRICTIONS BASED UPON INFORMATION AND SURVEY MAP AS PREPARED BY XXXXXX ON XXXXX200X.
2. ALL UTILITIES TO BE LOCATED AND FULLY PROTECTED BY GENERAL CONTRACTOR PER ALL LOCAL CODES AND GOVERNING BODY REQUIREMENTS PRIOR TO COMMENCING ANY NEW WORK (TYP). CONTRACTOR TO COORDINATE ROUTING AND ANY NEW WORK INVOLVING UTILITIES WITH THE APPLICABLE UTILITY COMPANIES AND PER THEIR REQUIREMENTS (TYP).
3. PRIOR TO THE START OF ANY PROJECT CONSTRUCTION, GENERAL CONTRACTOR MUST DETERMINE THE LOCATION AND SIZES REQUIRED FOR ALL CONSTRUCTION STAGING AREAS, LOCATIONS FOR TOPSOIL STORAGE AND EXCAVATED SOIL STORAGE, AND AREAS TO BE PROTECTED BY CONSTRUCTION FENCING (TYP). CONTRACTOR TO REVIEW THE ABOVE WITH ARCHITECT AND OWNER PRIOR TO OBTAINING APPROVAL FROM ALL GOVERNING BODIES.
4. ALL CONDITIONS ON SITE TO BE FULLY VERIFIED IN THE FIELD BY GENERAL CONTRACTOR BEFORE COMMENCING ANY NEW WORK (TYP).
5. GENERAL CONTRACTOR SHALL VERIFY GRADE INFO AND STAKE THE BUILDING FOOTPRINT AND DRIVEWAY FOR REVIEW BY THE ARCHITECT AND OWNER, AND PER ANY LOCAL GOVERNING BODY REQUIREMENTS. GENERAL CONTRACTOR TO NOTIFY ARCHITECT WHEN STAKING IS COMPLETE AND READY FOR REVIEW. GENERAL CONTRACTOR TO REVIEW STRUCTURAL PLANS FOR TOP OF WALL ELEVATIONS AND THE FOUNDATION AND ALL CONCRETE WORK AREAS, AND IS TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES, AND MUST RECEIVE WRITTEN DIRECTION OR APPROVAL FROM THE ARCHITECT AND STRUCTURAL ENGINEER BEFORE PROCEEDING WITH ANY WORK IN AREAS WHERE DISCREPANCIES MAY OCCUR (TYP).
6. GENERAL CONTRACTOR TO INFORM ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES BETWEEN IN-FIELD DIMENSIONS/CONDITIONS AND THE DRAWINGS, AND MUST RECEIVE APPROVAL FROM THE ARCHITECT AND STRUCTURAL ENGINEER PRIOR TO MOVING FORWARD WITH ANY NEW WORK WHERE DISCREPANCIES MAY OCCUR (TYP).
7. GENERAL CONTRACTOR TO ENSURE POSITIVE DRAINAGE IS PROVIDED AWAY FROM THE BUILDING PERIMETER (SLOPE AWAY FROM BUILDING AT 1:12 MIN.) (TYP).
8. GENERAL CONTRACTOR TO REVIEW AND COMPLY WITH ALL SUBDIVISION AND GOVERNING BODY REQUIREMENTS AND CONDITIONS (TYP).





PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

16 OCT 10 A9:36

PLANNING DEPT.

FOR OFFICIAL USE ONLY:	
SSD	2017 - 37
Acceptance Date:	1-23-17
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	JB/AW

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	Laura Bancroft, David Bancroft
Mailing Address:	PO Box 840 Hanalei HI 96714
Phone:	808-346-8595
Email:	hanaleihandyman@gmail.com
Applicant's Status: (Check one)	
<input checked="" type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	

Project Information (attach additional sheets, if necessary)	
County Zoning District:	Tax Map Key(s): 5-8-11-210
	Land Area: 11,950 (-274ac)
Nature of Development: (Description of proposed structure or subdivision)	Shed 16x8 After-the-fact

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

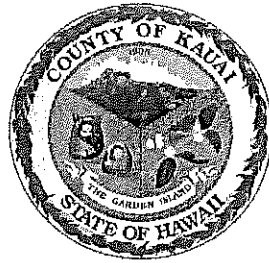
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☒ Properties Abutting the Shoreline
☒ Project's approximate distance from shoreline: 80 Feet
- ☐ Properties Not Abutting the Shoreline
☐ Project's approximate distance from shoreline:
- ☒ Additional Information:
☒ Closest distance of improvement(s) from Shoreline is approximately 20 ft.
☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

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PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201 ____ - ____	
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Flat

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Beach

- ☐ Artificially armored Shoreline
- ☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- ☐ Is the armoring permitted/authorized? _____
- ☐ Date of authorization (attach copy of authorization letter): _____
- ☐ Is property in coastal floodplain (if checked, what zone)? _____
- ☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

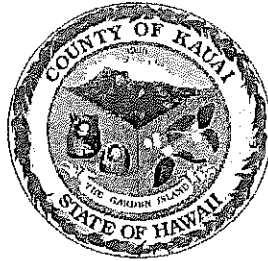
Applicant's Signature

David Barnett Law Barnett 6/20/16

Signature

Date

Applicability (to be completed by Planning Department)	
<input checked="" type="checkbox"/>	Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
	1-23-17
Planning Director or designee	Date



PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

Exemption Determination

☐ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

Planning Director or designee

Date

DENIED

PLANNING DEPARTMENT - COUNTY OF KAUAI

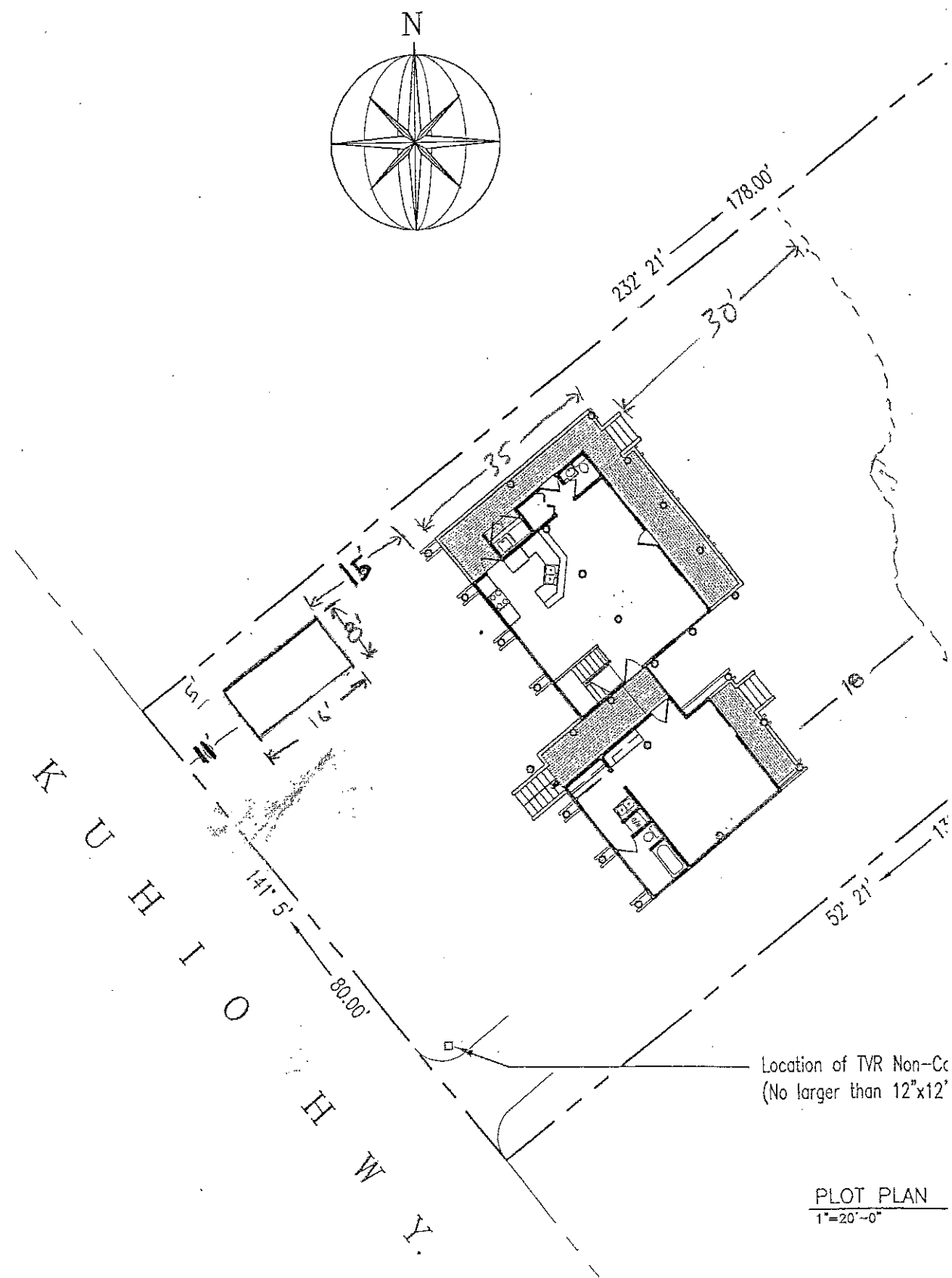
You have a right to appeal this denial pursuant to the Rules of Practice and Procedure of the Kauai Planning Commission. Please refer to these rules for more information.

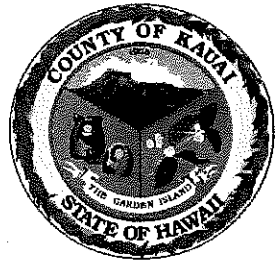
DATE 12-3-17 BY [Signature]



2003 Imagery Date: 12/16/2013 22°13'11.41" N 159°32'40.69" W elev 22 ft eye alt 159 ft

Google earth





PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD	201 <u>7-38</u>
Acceptance Date:	<u>1-23-17</u>
Website Posting Date:	<u>2-6-17</u>
Determination Date:	<u>1-23-17</u>
Planning Commission Date:	<u>NA</u>
Expiration Date:	<u>1-23-18</u>
Planner Assigned:	<u>SL/AM</u>

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information	
Applicant:	STEVE AND BETSY RIGOTTI
Mailing Address:	5608 FRANK PLACE CLAYTON, CA. 94517-1056
Phone:	925-788-6815
Email:	corsair185@aol.com
Applicant's Status: (Check one)	
<input checked="" type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> Lessee of the Property	Lessee must have an unexpired and recorded lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
<input type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date: _____	

Project Information (attach additional sheets, if necessary)	
County Zoning District:	R-2
Tax Map Key(s):	5-8-008:045
Land Area:	<u>71,000 SF 15,107</u>
Nature of Development: (Description of proposed structure or subdivision)	REPLACE EXISTING ROOF OVER EXISTING LANAI, REPLACE LANAI SUPPORTS, ADD NEW ROOF OVER EXISTING BALCONY, NEW STAIRS

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE,
EXCEPT AS PROVIDED IN §8-27.8(c)(8)

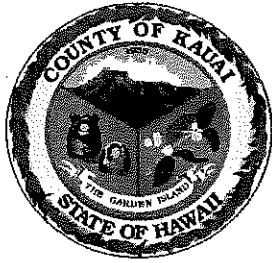
Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- ☐ Properties Abutting the Shoreline
☐ Project's approximate distance from shoreline: _____
- ☐ Properties Not Abutting the Shoreline
☒ Project's approximate distance from shoreline: 236 FT
- ☐ Additional Information:
☒ Closest distance of improvement(s) from Shoreline is approximately 58 ft.
☒ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

HOUSES ALONG THE BEACH, AND ALAMO'O ROAD ARE BETWEEN SUBJECT PARCEL AND THE SHORELINE



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201	-
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

- ☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

FLAT

- ☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

BEACH

- ☐ Artificially armored Shoreline
☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
☐ Is the armoring permitted/authorized? _____
☐ Date of authorization (attach copy of authorization letter): _____

- ☒ Is property in coastal floodplain (if checked, what zone)? VE-24
☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

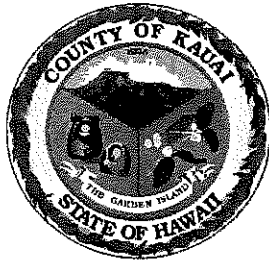
The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

St. Regis
Signature

6/27/16
Date

Applicability (to be completed by Planning Department)	
<input checked="" type="checkbox"/>	Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
<u>[Signature]</u> Planning Director or designee	<u>1-23-17</u> Date



PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B

Exemption Determination

☐ A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☐ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☒ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☒ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

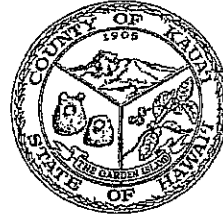
Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

Planning Director or designee

Date

Bernard P. Carvalho, Jr.
Mayor



Lyle Tabata
Acting County Engineer

Wallace G. Rezentes, Jr.
Managing Director

DEPARTMENT OF PUBLIC WORKS

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 275, Lihue, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

December 28, 2016

Steve Rigotti
5608 Frank Place
Clayton CA, 94517-1058

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION
7321 ALAMO'O RD HANAIEI, KAUA'I, HAWAII 96714
TMK: (4) 5-8-008:045
Owner: STEVE AND BETSY RIGOTTI

PW 12.16.032

Dear Mr. Rigotti

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 979) Section 8-27.2 defines substantial improvement as "any cumulative series of repairs, reconstruction, improvements, or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure."

The Department of Public Works (DPW) Engineering Division has reviewed the proposed roof, column and stair replacements to a single family residence. DPW has determined that the proposed improvements does not constitute a substantial improvement. A summary of the calculations follows.

Market Value

There were no other building permits approved for the structure during the past ten years. An appraisal was completed by Katherine A. Lewi of Appraisal Services Kaua'i. She estimated the market value of the real property to be \$408,000, as of May 24, 2016. The appraisal was prepared by a professional appraiser licensed in the State of Hawai'i (#CRA 0000751) and the market value was based the "Cost Approach."

We have reviewed the appraisal and have determined that for the purpose of making a Substantial Improvement Determination, we will be using the value of \$404,690.11. This market value excludes the value of the appliances that were included in the appraisal.

Steve and Betsy Rigotti
Shoreline Setback Application – Substantial Improvement Determination
December 28, 2016

Cost of Improvements

The total cost of improvements for the proposed roof, column and stair replacements to the existing structure is taken to be the cost estimate of \$176,406.79 that was prepared by Michael Lander Inc. and submitted with a contractor's affidavit to the Engineering Division on November 30, 2016.

Summary


The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$176,406.79}{\text{Market Value (Appraisal): } \$404,690.11} = 0.4359 \text{ or } 43.6\%$$

Since the total cost does not exceed 50% of the market value, the improvement is not considered to be substantial. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

If you have any questions or need additional information, contact Stanford Iwamoto at (808) 241-4896 or siwamoto@kauai.gov.

Sincerely,



MICHAEL MOULE, P.E.
Chief, Engineering Division

SI/BV

Copy: Design and Permitting
Planning
Matthew Schaller (PO BOX 120 Hanalei, HI 96714)



Google earth

feet
meters



Plans on
file
Too large
to scan